

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MICHAEL SAUNDERS on behalf of himself and all
others similarly situated,

Plaintiff,

-against-

GALLERY FURNITURE DESIGN CENTER, INC.,
d/b/a MYGALLERYFURNITURE.COM,

Defendant.
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23 Civ. 10578 (AS)

**PROPOSED
ORDER FOR DEFAULT
JUDGMENT**

This action having been commenced on December 4, 2023, by the filing of the Summons and Complaint, and a copy of the Summons and Complaint having been personally served on Defendant on December 13, 2023, by the utilization of Peak Process Servers, Inc., and proof of service having been filed on December 21, 2023, and the Defendant not having answered the Complaint, and the time for answering the Complaint having expired, and the Clerk of the Court having issued a Certificate of Default on March 20, 2024, it is hereby:

ORDERED, ADJUDGED AND DECREED:

- a. A preliminary and permanent injunction to prohibit Defendant from violating the Americans with Disabilities Act, 42 U.S.C. §§ 12182, *et seq.*, N.Y. Exec. Law § 296, *et seq.*, N.Y.C. Administrative Code § 8-107, *et seq.*, and the laws of New York is granted;
- b. A preliminary and permanent injunction requiring Defendant to take all the steps necessary to make its website into full compliance with the requirements set forth in the ADA, and its implementing regulations, so that the website is readily accessible to and usable by blind individuals, is granted;
- c. A declaration that Defendant owns, maintains and/or operates its website in a manner that discriminates against the blind and which fails to provide access for persons with disabilities as required by the Americans with Disabilities Act, 42 U.S.C. §§ 12182, *et seq.*, N.Y. Exec. Law § 296, *et seq.*, N.Y.C. Administrative Code § 8-107, *et seq.*, and the laws of New York, is granted;

- d. An award of compensatory damages in the amount of \$1,000.00 under the New York State Human Rights Law (“NYSHRL”) and the New York City Human Rights Law (“NYCHRL”) is granted;
- e. An award of costs in the amount of \$3,045.00 is granted; and
- f. An award of attorney’s fees in the amount of \$8,610.00 is granted;

Dated: New York, New York

Hon. Arun Subramanian, U.S.D.